United Nations A/AC.109/2010/15

General Assembly

Distr.: General
16 March 2010

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Falkland Islands (Malvinas)*

Working paper prepared by the Secretariat

Contents

		Page
I.	General	3
II.	Constitutional and political developments	3
III.	Budget	4
IV.	Mine clearance	4
V.	Economic conditions	5
	A. General	5
	B. Fisheries	5
	C. Tourism	6
	D. Agriculture, land tenure and livestock	6
	E. Transport, communications and other basic facilities	6
	F. Environment and hydrocarbons	7
VI.	Social conditions	8
	A. General	8
	B. Public health	8
	C. Social security and welfare	8

* A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Malvinas) (see ST/CS/SER.A/42).

10-27390 (E) 250310

Please recycle

D. Education
VII. Participation in international organizations and arrangements
VIII. Consideration by intergovernmental organizations and forums
IX. Future status of the Territory
A. Position of the administering Power
B. Position of the Government of Argentina
X. Consideration by the United Nations
A. Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples
B. Special Political and Decolonization Committee (Fourth Committee)
C. Action taken by the General Assembly

I. General

1. The Falkland Islands (Malvinas) is a Non-Self-Governing Territory administered by the United Kingdom of Great Britain and Northern Ireland, comprising two large islands, known as East and West Falkland, as well as hundreds of smaller islands, and a total area of about 12,173 square kilometres. The Falkland Islands (Malvinas) are situated in the South Atlantic, about 770 kilometres north east of Cape Horn and about 480 kilometres east of the South American mainland. South Georgia, located about 1,300 kilometres south-east of the Falkland Islands (Malvinas) group, and the South Sandwich Islands, located about 750 kilometres east-south-east of South Georgia, are administered from the Falkland Islands (Malvinas) as a separate territory; the Governor of the Falkland Islands (Malvinas) acts concurrently as Commissioner for South Georgia and the South Sandwich Islands. According to the latest census (2006), the population of the Territory was 2,478 (not including residents temporarily absent and civilians working in conjunction with the Ministry of Defence), up from 2,391 in 2001 and representing the largest population since 1931. A dispute exists between the Governments of Argentina and the United Kingdom concerning sovereignty over the Falkland Islands (Malvinas).

II. Constitutional and political developments

2. As previously reported, the Constitution approved in 2008 came into force on 1 January 2009 (Statutory Instrument 2008, No. 2846). According to the administering Power, as compared with the 1985 Constitution, the new Constitution enhances local democracy, establishes a greater degree of internal self-government and provides greater transparency and accountability. As before, members of the legislature elect a Speaker to preside over sittings of the Legislative Assembly, which meets regularly. A Chief Executive is appointed by the Governor in agreement with the Legislative Assembly as head of the public service to implement policy. Each member takes responsibility for a particular portfolio and works closely with the relevant departments. Members do not have ministerial responsibility. Questions of policy are considered by the Executive Council, which consists of three members of the Legislative Assembly who are elected annually from their own number, in addition to two ex-officio members who have no voting rights. The Attorney-General and the Commander of British Forces on the Islands have the right to attend meetings of the Executive Council but do not vote. The Governor retains responsibility for foreign policy and defence. By the terms of the new Constitution, the Governor, with the advice and consent of the Legislative Assembly, may make laws for the peace, order and good government of the Territory, while full power to make laws for the peace, order and good government of the Territory is reserved for the British Crown.[1]

3. The last general elections were held for all eight members of the Legislative Assembly on 5 November 2009, five from the Territory's urban constituency

Note: The information contained in this working paper has been derived from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations as well as information provided by the Government of Argentina and that available in published sources.

[1] Information provided by the administering Power on 29 December 2009.

(Stanley) and three from the Camp (i.e., outside the Territory's only town), for a four-year term. The current Governor, Alan Huckle, took up his appointment in August 2006. In 2009, Nigel Haywood was appointed to succeed Mr. Huckle as Governor, and is expected to take up his appointment in September 2010.

4. As previously reported, regarding the reform process pertaining to the 1985 Constitution, the Argentine Government protested on 6 November 2008 against what it termed "a unilateral act" carried out by the United Kingdom "whereby it claims to have adopted a new 'constitution' for the Malvinas Islands", in "disregard for the resolutions on the question of the Malvinas Islands duly adopted by the General Assembly and the Special Committee on Decolonization" and in "violation of the spirit of the provisional understandings under the sovereignty formula" reached by Argentina and the United Kingdom (see A/63/542, annex I).

5. With reference to Argentina's protest, on 3 December 2008 the United Kingdom rejected the assertions that the Falkland Islands Constitution Order 2008 was contrary, either in practice or in spirit, to any aspect of the Joint Statements agreed between the United Kingdom and Argentina or that it contravened any General Assembly resolutions (see A/63/589).

6. During 2009 and 2010, Argentina and the United Kingdom reiterated their respective positions regarding the sovereignty dispute, including by Argentina through the issuance of press releases on 10 June 2009 in connection with the observance of the "Day of Affirmation of Argentine rights over the Malvinas Islands" and other areas, and on 3 January 2010 "on the occasion of the latest anniversary of the illegal occupation of the Malvinas Islands by the United Kingdom", and by the United Kingdom through written demarches at the United Nations rejecting territorial and other claims made by Argentina.

7. . The positions of the administering Power and the Government of Argentina are also referred to in section IX below.

III. Budget

8. The Territory's financial year runs from 1 July to 30 June. According to the administering Power, the Territory makes every effort to maintain a balanced budget, but in 2009 a temporary budget deficit was agreed following the recent global investment crisis. For 2009/2010, the approved estimate for total revenue was £42 million, of which £14.5 million was estimated to come from fisheries, £4.5 million from investment income, £10.2 million from taxation and £5.4 million from public works. During the same period, the revised estimate for expenditure was £43 million.[1]

IV. Mine clearance

9. Under the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, known as the Ottawa Convention, States parties are obliged to clear anti-personnel mines in mined areas within 10 years of the Convention's entry into force, unless an extension is granted under the Convention.

10. As previously reported, on 28 November 2008, the Ninth Meeting of States Parties to the Ottawa Convention, decided to grant the United Kingdom an extension until 1 March 2019. Subsequently, according to the administering Power, the United Kingdom decided to proceed with the clearance of four mined areas in the Territory. Following a rigorous procurement exercise, the United Kingdom signed a contract with a private company in October 2009, and made arrangements for setting up a demining project office to carry out quality control and assurance checks so as to ensure the land was cleared safely and to the required depth. Work had already begun and was expected to be completed by April 2010.[1]

11. Further, in November 2008 the Ninth Meeting of the States Parties agreed that the Convention's Second Review Conference would be held in Cartagena, Colombia, from 30 November to 4 December 2009. As reflected in its final report, adopted on 4 December 2009, the Cartagena Conference assessed the request submitted by Argentina for an extension of Argentina's deadline for the destruction of anti-personnel mines in mined areas of the Falkland Islands (Malvinas) in accordance with article 5.1, agreeing to grant the request for an extension until 1 January 2020. In granting the request, the Conference noted that, while Argentina had put forward a "schematic plan" for implementing article 5 in mined areas that it has reported to be under its jurisdiction or control, Argentina itself has indicated that it "does not exercise territorial control over the land to be demined". The Conference further noted the importance of a State Party providing information on changes to the status of the control of mined areas.

12. More information on the subject is contained in the working paper prepared by the Secretariat in 2009 (A/AC.109/2009/13).

V. Economic conditions

A. General

13. According to the administering Power, the gross domestic product (GDP) of the Islands was estimated to be about £104 million in 2009. Increasing revenue from corporation tax indicates a growing private sector. The fishing industry remains the most important sector of the economy (about 60 per cent of GDP), and the tourism sector has witnessed growth. The Territory's stated aim is to ensure a diverse and sustainable economy for the future, and work is being done in partnership with the private sector to develop a long-term economic development strategy. The latest Islands Plan (2009-2013) is available on the Internet. Like the previous Plan, it outlines a vision for improved financial management, quality of life and communications while ensuring a sustainable economy.

B. Fisheries

14. Loligo and Illex squid are the mainstay of the fisheries and economy of the Territory, as previously reported by the administering Power. In addition to those two squid species, a number of finfish are targeted, including southern blue whiting, hake and hoki. The Fisheries Department is responsible for administering the fisheries sector in the Territory. Following the enactment of the Fisheries (Conservation and Management) Ordinance in 2005, the Territory began

implementing the new licensing regime. According to information provided, Argentina continued to censure this regime in 2009. More information on the subject is contained in the 2007, 2008 and 2009 working papers prepared by the Secretariat (A/AC.109/2007/13, A/AC.109/2008/13 and A/AC.109/2009/13).

C. Tourism

15. According to information provided by the administering Power, tourism is a significant contributor to the Territory's economy, valued at approximately £5 million per annum. As previously reported, there has been a measurable expansion in the Falkland Islands (Malvinas) tourism sector in recent years, with an average growth rate in visitor arrivals of 21 per cent between the 2000/2001 and 2007/2008 seasons. According to the administering Power, approximately 62,000 tourists, largely from cruise ships, visited the Falkland Islands (Malvinas) in 2008/2009, leaving almost £4.2 million revenue in the Territory. This figure includes spending on tours, shopping, and food, as well as over £1.3 million in the form of taxes and levies.

D. Agriculture, land tenure and livestock

16. As previously reported based on information provided by the administering Power, the most significant change in agriculture in recent years has been the development of the meat industry and of farming adjusted to produce dual-purpose sheep that will maximize returns from both meat and wool. According to the administering Power, 1.6 million kilograms of wool were exported from the Islands in 2008, and 33,000 sheep and lambs were processed through the Sand Bay abattoir for export in 2009. The Territory has an ongoing 10-year plan in support of agriculture, although spending under the plan has decreased every year since 2004 as farmers invest more of their own funds into their production units. Pasture and genetic improvement programmes as well as the expansion of the meat industry form the core of the Territory's agricultural development strategy. The amount of farmland in use has gradually declined over the years, owing to farming methods becoming more intensive to meet export market requirements.

E. Transport, communications and other basic facilities

17. According to the administering Power, there is a coastal shipping service supplying fuel and stores to settlements on the east, west and outlying islands, as well as a regular ferry service between the two main islands, carrying both passengers and freight.

18. In 2009, the LanChile airline continued to provide regular weekly service between Punta Arenas, Chile, and the Falkland Islands (Malvinas), including two monthly stopovers in Rio Gallegos on mainland Argentina, in accordance with the provisions of the Joint Statement of 14 July 1999 between Argentina and the United Kingdom. In October 2009, two groups of relatives of Argentine soldiers buried in the Territory availed themselves of this regular service to participate in the inauguration of the Memorial at the Darwin Cemetery on the Islands, whose erection was envisaged under the Joint Statement.

19. Moreover, according to information provided by Argentina, under the Exchange of Notes Agreement of 23 February 2001, private flights were authorized, as were a number of medical evacuation flights from the Falkland Islands (Malvinas) to mainland Argentina, and Chile. As previously reported, since 3 November 2003, no non-regular flight between third countries and the Falkland Islands (Malvinas) by any company flying under the flag of a third country has been authorized by Argentina. No agreement between Argentina and the United Kingdom has been reached on the Argentine proposal made in 2003 aimed at the establishment of direct, regular air service between mainland Argentina and the Falkland Islands (Malvinas) operated by an Argentine air company.

20. Communications, both internally and with the outside world, have improved over the past several years. According to the administering Power, there are well over 1,000 computers in the Territory, and in 2009 approximately 74 per cent of households were connected to broadband Internet, while 248 computers used a dial-up connection. There were also some 4,000 mobile and 1,759 fixed-line telephones operating within the resident population.

21. More information on transport arrangements, communications and other basic facilities such as electricity generation is contained in previous working papers prepared by the Secretariat, including the 2009 working paper A/AC.109/2009/13.

F. Environment and hydrocarbons

22. As previously reported, according to the administering Power, the Falkland Islands (Malvinas) works to uphold a number of environmental treaties. For its part, according to information provided by Argentina, the Argentine Republic has rejected the territorial application effected by the United Kingdom of the United Nations Framework Convention on Climate Change and the Kyoto Protocol, the Agreement on the Conservation of Albatrosses and Petrels, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Convention on the Conservation of Migratory Species of Wild Animals and the Ramsar Convention on Wetlands, on the grounds that the Falkland Islands (Malvinas), along with the surrounding maritime areas, were an integral part of the territory of Argentina.

23. According to the administering Power, traces of hydrocarbons have been found in exploration wells in offshore waters to the north of the Islands since 1998, but no commercial discovery was made. More recently, companies contracted a semi-submersible rig to drill additional exploration wells, which commenced in February 2010. Exploration activities, expected to last under a year, would benefit the local economy. The Territory would also receive some direct revenue in taxation from the oil industry. In the event that a commercial oil discovery is made during that drilling programme or a future one, any production activity would be developed offshore with a view to keeping onerous socio-economic, health, safety and environmental impacts to a minimum.

24. According to information provided, over the years Argentina has censured the aforementioned offshore drilling and production programmes, including in 2009 and in February 2010, when the Government of Argentina submitted a note of protest to the United Kingdom firmly rejecting "the British attempt to authorize hydrocarbon exploration and exploitation activities in areas of the Argentine continental shelf"

(see A/64/653) around the Falkland Islands (Malvinas). In this connection, the same month Argentina issued a presidential decree requiring authorization for vessels calling at Argentine ports or crossing Argentine waters. Further information on the subject, see A/64/653, annex.

VI. Social conditions

A. General

25. As previously reported, according to the administering Power, the Territory observes the principles contained in the Universal Declaration of Human Rights. The provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms have been extended to the Falkland Islands (Malvinas) by the administering Power. Furthermore, the United Kingdom has extended the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights to the Territory and observes the regular reporting procedures under those instruments. There is no discrimination on the basis of sex in the implementation of articles 2 and 3 of the International Covenant on Civil and Political Rights. The Convention on the Elimination of All Forms of Discrimination against Women, including its Optional Protocol, and the Convention on the Rights of the Child have been applied by the United Kingdom in the Falkland Islands (Malvinas).

26. For its part, according to information provided, Argentina has consistently rejected the territorial application by the United Kingdom of these various instruments, as well as the designation of the Territory as an Overseas Territory of the United Kingdom or any other similar designation.

B. Public health

27. The general state of health in the Falkland Islands (Malvinas) is good. According to the administering Power, the majority of medical and dental treatment and prescription drugs are free to all Falkland Islands (Malvinas) and United Kingdom residents under a reciprocal health agreement. All health services are based at the King Edward VII Memorial Hospital in the Territory's town, which provides a range of primary-care services to the civilian population, military personnel stationed in town and foreign fishing fleet personnel around the Islands. In addition, there is a visiting medical service supporting outlying farm settlements. The hospital has facilities to deal with acute medical and surgical conditions. It has approximately 30 beds, including 1 maternity and 2 intensive-care beds. Patients requiring specialist attention are first stabilized and then evacuated to the United Kingdom or Chile or, in emergencies, to Montevideo.

C. Social security and welfare

28. As previously reported, the Falkland Islands Retirement Pensions Ordinance provides for mandatory fixed monthly contributions by all employers and by employees between the ages of 17 and 64. The Falkland Islands Pension Scheme Ordinance 1997 provides for a national defined-contribution vehicle through which

employers, self-employed individuals and other individuals within the Falkland Islands (Malvinas) can make contributions, under employer-employee agreements or voluntarily, during their working lives and receive a pension upon retirement. According to the administering Power, a system of social welfare grants and pensions is in place to deal with cases of hardship and disability.

D. Education

29. Education in the Falkland Islands (Malvinas) is free and compulsory for all children between the ages of 5 and 16, with access to preschool (nursery) education from the age of 4. As previously reported, according to information provided by the administering Power, the Government provides staff, equipment and supplies for education, has a primary and a secondary school in the Territory's town and operates two settlement schools. In the rural areas, younger children either attend the settlement schools or are visited by travelling teachers. There are also daily lessons by telephone available. Students above the age of 16 who qualify in examinations are funded for studies overseas, mostly in the United Kingdom.

30. Further, in 2008/2009 there were 392 schoolchildren being educated in the Falkland Islands (Malvinas), while continuing education past 16 years of age was being provided locally through the training unit of the education service, involving 20 students. Meanwhile, 70 further and higher education pupils were being educated overseas. According to information provided by Argentina, inhabitants of the Falkland Islands (Malvinas) enjoy equality of access to the Argentine public education system. Additional information on the subject is contained in the 2009 report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (A/64/69).

VII. Participation in international organizations and arrangements

31. According to information provided by the administering Power, the Government of the Falkland Islands (Malvinas) participates in activities of the Commonwealth and is a member of the United Kingdom Overseas Territories Association. Also, representatives of the Government participate, as members of the United Kingdom delegation, in discussions on various matters affecting their interests.

32. As previously reported, under the United Nations Convention on the Law of the Sea, claims for an extended continental shelf by those coastal States for whom the Convention came into force on or before May 1999 were to be submitted to the Commission on the Limits of the Continental Shelf by May 2009. On 21 April 2009, Argentina made a submission to the Commission on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured, and on 11 May 2009, the United Kingdom made a submission to the Commission on the limits of the continental shelf beyond 200 nautical miles, inter alia, in respect of the Falkland Islands (Malvinas), with each side subsequently rejecting the submission of the other and reaffirming its respective position on sovereignty over the Territory. In a statement (see CLCS/64 of 1 October 2009), the Chairman of the Commission stated with regard to the

submission made by Argentina that the Commission had decided that, in accordance with its rules of procedure, it was not in a position to consider and qualify those parts of the submission that are subject to dispute.

VIII. Consideration by intergovernmental organizations and forums

33. The Treaty of Lisbon was signed by the European Union member States on 13 December 2007, and came into force on 1 December 2009, amending the Treaty on European Union and the Treaty establishing the European Community.

34. According to the administering Power, the Lisbon Treaty confirms the Territory's association with the European Union in accordance with part four of the Treaty on the Functioning of the European Union, specifically articles 198 to 204; the name of the Territory is listed in annex II of the same treaty under European Union associated territories. Additional information is contained in the annex to document A/64/672.

35. Argentina, referring to the entry into force of the Treaty of Lisbon, rejected the attempt to include, inter alia, the Falkland Islands (Malvinas) in the list of territories in annex II to which part four of the treaty applies on the grounds that it was part of Argentine national territory. Additional information is contained in the annex to document A/64/612.

36. During meetings in 2009, intergovernmental entities such as the Arab and South American Countries Summit (Doha, 31 March 2009); General Assembly of the Organization of American States (San Pedro Sula, 4 June 2009); Southern Common Market (Asunción, 24 July 2009; Montevideo, 8 December 2009); Union of South American Nations (Quito, 10 August 2009); African and South American Countries Summit (Isla Margarita, 27 September 2009); Rio Group (Montego Bay, 5 November 2009); Latin American and Caribbean Ministerial Meeting on Integration and Development (Montego Bay, 6 November 2009); and Ibero-American Summit (Estoril, 1 December 2009) addressed the question of the Falkland Islands (Malvinas) and reaffirmed the need for Argentina and the United Kingdom to resume negotiations to find a peaceful solution to that long-standing dispute. As previously reported, the United Kingdom is not a member of the aforementioned organizations, nor has it been represented at any of the aforementioned meetings, with the exception of the Organization of American States, where the United Kingdom has observer status. Further information on this matter can be found in working paper A/AC.109/2009/13, and section X.B below.

IX. Future status of the Territory

A. Position of the administering Power

37. By a letter dated 25 September 2009 addressed to the President of the General Assembly (A/64/466, annex), in exercise of the right of reply to the remarks of the President of Argentina in her address to the General Assembly on 23 September 2009, the Permanent Representative of the United Kingdom stated the position of his Government as follows:

1. "The United Kingdom has no doubt about its sovereignty over the Falkland Islands.

2. "The British Government attaches great importance to the principle of self-determination as set out in Article 1.2 of the Charter of the United Nations and article 1 of the International Covenant on Civil and Political Rights. That principle underlies our position on the Falkland Islands.

3. "The Falkland Islands are not a colonial enclave. Britain's Overseas Territories are British for as long as they want to remain British. The people of the Falkland Islands have chosen to retain their link with Britain. The democratically elected representatives of the Falkland Islands once again expressed their own views clearly when they visited the United Nations for this year's debate in the Committee of 24.

4. "They asked the Committee to recognize that they, like any other people, were entitled to exercise the right of self-determination. They reiterated that the people of the Falkland Islands did not wish for any change in the status of the Islands.

5. "There can be no negotiations on the sovereignty of the Falkland Islands unless and until such time as the Islanders so wish."

38. According to information provided by the administering Power, in his annual message to the Territory for 2010, the Prime Minister of the United Kingdom, Gordon Brown, restated the commitment of the United Kingdom to the Islanders and their right of self-determination:

1. "I met President Kirchner twice in 2009, but as always, I made it clear in our discussions that we have no doubts about United Kingdom's sovereignty over the Falkland Islands, and that the principle of self-determination underlies this. There can be and there will be no negotiations on the sovereignty of the islands unless and until such time as you so wish."[1]

B. Position of the Government of Argentina

39. As reflected in the official record of the 4th plenary meeting of the sixty-fourth session of the General Assembly on 23 September 2009 (A/64/PV.4), the President of Argentina, Cristina Fernández de Kirchner, in her address to the General Assembly, referred to the situation of the Argentine Republic, where a "colonial enclave, our Malvinas Islands" persisted without the possibility of addressing the question of sovereignty together with the United Kingdom, as called for in many General Assembly resolutions. The President went on to say that, following a humanitarian request, Argentina and the United Kingdom had agreed that family members with loved ones buried on the islands would be permitted to visit to pay tribute to those who had fought for their homeland.

40. Additional information on the position of the Government of Argentina can be found in section X.A below.

X. Consideration by the United Nations

A. Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

41. The Special Committee considered the question of the Falkland Islands (Malvinas) at its 9th and 10th meetings on 18 and 19 June 2009, respectively (see A/AC.109/2009/SR.9 and 10). At the 9th meeting, the Special Committee decided to accede to the request of Argentina, Brazil, El Salvador, Guatemala, Honduras, Paraguay, Peru and Uruguay to participate in the Committee's consideration of the item.

42. Also at the 9th meeting, statements by Mr. Stevens and Ms. Robertson from the Legislative Council of the Falkland Islands (Malvinas) were heard. Ms. Reynolds and Mr. Vernet also made statements.

43. At the same meeting, the representative of Chile, on behalf of Bolivia, Chile, Cuba, Ecuador and the Bolivarian Republic of Venezuela, introduced draft resolution A/AC.109/2009/L.8, which reiterated that the way to put an end to the special and particular colonial situation in the question of the Falkland Islands (Malvinas) was the peaceful and negotiated settlement of the dispute over sovereignty between the Governments of Argentina and the United Kingdom. It requested both parties to consolidate the current process of dialogue and cooperation through the resumption of negotiations in order to find as soon as possible a peaceful solution to the dispute, in accordance with the provisions of the relevant General Assembly resolutions.

44. The Foreign Minister of Argentina, Jorge Taiana, made a statement at that meeting (see A/63/923). As reflected in the meeting's summary record, the Foreign Minister, inter alia, stated that the situation of the Malvinas Islands was unlike any other. The United Kingdom had violated the political unity and territorial integrity of the Argentine Republic and continued its occupation of the islands, whose population had been expelled and replaced with an implanted foreign population. To claim that the principle of self-determination should be applied to such people would be a flagrant misrepresentation of logic, justice and law. By saying that it would agree to resume negotiations with Argentina only if the islands' inhabitants so wished, the United Kingdom was ignoring the will of the Member States of the Organization and introducing a unilateral precondition that had not figured in any of the resolutions on the subject. Argentina was prepared to comply with the obligation to resume sovereignty negotiations over "the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas". That obligation applied to both parties.

45. Further, Argentina had taken steps to cooperate with the United Kingdom on practical matters deriving from the de facto situation with a view to creating a framework conducive for the two parties to resume negotiations. In spite of that, the United Kingdom had committed a number of unilateral acts in the disputed areas, in violation of General Assembly resolution 31/49, such as the extension of the fisheries licensing regime to include 25-year fishing quotas; the granting of licences for hydrocarbon activities; the refusal to operate charter flights; and the inclusion of parts of Argentine national territory in its submission to the Commission on the

Limits of the Continental Shelf. The speaker concluded by reiterating that Argentina was prepared to negotiate on the basis of international law and the various resolutions on the question with a view to achieving a just and definitive resolution of the sovereignty dispute.

46. At the 9th and 10th meetings of the Special Committee the representatives of Bolivia, Brazil, China, Cuba, Ecuador, El Salvador, Grenada, Guatemala, Honduras, Indonesia, Mali, Paraguay, Peru, the Russian Federation, Sierra Leone, the Syrian Arab Republic, Saint Lucia, Tunisia, Uruguay and the Bolivarian Republic of Venezuela also made statements on the question of the Falkland Islands (Malvinas).

B. Special Political and Decolonization Committee (Fourth Committee)

47. On 5 and 9 October 2009, during the debate on decolonization issues in the Special Political and Decolonization Committee (Fourth Committee) at the sixty-fourth session of the General Assembly, several delegations referred to the question of the Falkland Islands (Malvinas) (see A/C.4/64/SR.2 and A/C.4/64/SR.6).

48. The representative of Uruguay, speaking on behalf of the countries of the Southern Common Market (MERCOSUR) and its associated States, reiterated their support for the legitimate rights of Argentina in the sovereignty dispute as the Presidents of the member States of MERCOSUR and its associated States had reaffirmed that support in a Joint Communique, adopted at a meeting of the Council of the Common Market. The only way to find a solution to the sovereignty dispute over "the Malvinas Islands, South Georgia Islands and South Sandwich Islands, and the surrounding maritime areas" was through the resumption of negotiations. The representative recognized the willingness of Argentina to do so and urged the United Kingdom to comply with the relevant resolutions of the United Nations and other international bodies.

49. The representative of Mexico, speaking on behalf of the Rio Group, said that the Governments of Argentina and the United Kingdom must resume their negotiations in order to find a solution to the sovereignty dispute in accordance with the relevant decisions of the General Assembly, the Special Committee and others, as soon as possible, bearing in mind the principle of territorial integrity.

50. The representative of the United Kingdom, speaking in exercise of the right of reply, reiterated his Government's well-known position that the United Kingdom had no doubts about its sovereignty over the Territory and that there could be no negotiations on sovereignty unless and until the Islanders themselves so wished.

51. The representative of Argentina, in response to remarks made by the United Kingdom delegation, stated his Government's position that "the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas" were an integral part of the territory of Argentina. The representative went on to say that various international organizations and the General Assembly had recognized the dispute over sovereignty, urging the Governments of Argentina and the United Kingdom to resume negotiations to settle the dispute.

C. Action taken by the General Assembly

52. Under resolution 58/316 of 1 July 2004, the General Assembly decided that the item entitled "Question of the Falkland Islands (Malvinas)" would remain on the agenda for consideration upon notification by a Member State. As of the date of the issuance of the present report, there had been no such notification by a Member State to the General Assembly.